



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/059,293	01/31/2002	Chih-Wen Huang	9585-0303	7152
73552	7590	06/24/2008		
Stolowitz Ford Cowger LLP 621 SW Morrison St Suite 600 Portland, OR 97205			EXAMINER	
WORKU, NEGUSSE				
ART UNIT		PAPER NUMBER		
2625				
MAIL DATE		DELIVERY MODE		
06/24/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/059,293

Applicant(s)

HUANG ET AL.

Examiner

NEGUSSIE WORKU

Art Unit

2625

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17 and 19-22 is/are allowed.
- 6) ☒ Claim(s) 1-16 and 23-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

1. Claims 17, 19-22 are allowed. However, applicant's arguments with respect to claims 1-16, 23-30, have been fully considered but they are not persuasive.

Regarding claims 1, the Applicant alleged that the combination of the prior art fails to show or suggest, the claimed limitation disclosed in claims 1 and 25 respectively. In response, the Examiner respectfully disagrees because the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). In this case, the Examiner asserts that the combination of the prior arts used in the current Office action when considered as a whole clearly teaches the claimed limitation as currently amended in claims 1 and 25 are well-known in the art at the time of the invention was made. In particular, the references in combination clearly suggested the advantage combining the prior arts to. In view of the above, having the system of Neukerma '297' in view of Yoshii '867' and then given the well- established teaching of Ara, '597', the Examiner

asserts that it would have been obvious to one having ordinary skill in the art at the time of the invention was made to mount the teaching of the prior arts.

For the above reasons, the Examiner asserts that the combination of Neukermans et al. (USP 6,608,297), in view of Yoshii et al. (USP 6,000,867), further in view of (Ara et al. (USP 5,889,597) does in fact show present claimed invention is known to ordinary skilled in the art at the time of the invention was made, thus, the rejections are maintained as follows:

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-16, 23-24 and 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neukermans et al. (USP 6,608,297), in view of Yoshii et al. (USP 6,000,867), further in view of (Ara et al. (USP 5,889,597).

With respect to claim 1, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP), (a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18) comprising single housing (fig 1); an operation panel at the housing (display on the PDA 252 of fig 2) for a user to input a data and a scanning order, (col.5, paragraph 0061, lines 20-25);

and a scanning apparatus at least partially in the capable of controlling a scanning operation after receiving the scanning order, (PDA 252 of fig 2, includes note book or PC computer, for controlling and processing) at least partially in the housing and electrically connected to the operation panel for directing logic operation and data processing, (col.5, paragraph 0057, lines 13-17) and receiving the scanning order, (col.5, paragraph 0057, lines 13-17); a scanning channel configured as a passage in the single housing for a to-be- scanned document (PDA of fig 5, (col.5, paragraph 0057, lines 13-17); a scanning channel configured as a passage in the single housing for a to-be- scanned document, (col.5, paragraph 0057, lines 13-17).. (PDA of fig 5 and 5A which is a scanning operation of the scanning apparatus 100 of fig 5) after receiving the scanning order, the scanning apparatus (input slit, for inserting card 254 of fig 5 310 of fig 3B).

Neukermans et al., do not teach or disclose wherein the scanning apparatus is capable of scanning concurrently two sides of the to-be scanned document

Yoshii (867) in the same area of portable image processing device (as shown in fig 1) teaches, wherein the scanning apparatus is capable of scanning concurrently two sides of the to-be scanned document (col.9, lines 45-53).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging apparatus of Neukermans (297) to include: wherein the scanning apparatus is capable of scanning concurrently two sides of the to-be scanned document.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Neukermans (297) by the teaching of Yoshii (867) for the purpose of obtaining a low cost portable image processing device equipped with a copy function that can easily carried around, which can read both side of the document.

Neukermans (297), as modified, by Yoshii (867) fails to teach the operation panel respectively lie in substantially parallel planes and substantially overlap one another in direction substantially perpendicular to the substantially parallel planes.

Ara (597) in the same area of multi-function device (as shown in fig 1) teaches the operation panel (operation buttons 3, and status display section 4 of fig 1) respectively lie in substantially parallel planes and substantially overlap one another in direction substantially perpendicular to the substantially parallel planes, (as seen in fig 1, operation buttons 3, and status display section 4 of fig 1 on top surface of an outer casing 2, which is respectively lie to parallel with scanning 8, in which in combined into one unit as shown in fig 2, the original paper inlet and outlet port 17, is perpendicular and parallel planes , see col.4, lines 1-5, and lines 15-60).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging apparatus of Neukermans (297) as modified by Yoshi (867) to provide: wherein the scanning channel and the operation panel respectively lie in substantially parallel planes and substantially overlap one another in a direction substantially perpendicular to the substantially parallel planes.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging apparatus of Neukermans (297) as modified by Yoshi (867), further by the teaching of Yoshii (867) for the purpose of obtaining a low cost portable image processing device equipped with a copy and printer function that can easily carried around, and therefore, it should be clear to one skilled in the art that anyone of a wide variety of multi-function device can be similarly employed to accomplish this desired result without depending from the teaching of the present invention.

With respect to claim 2, Neukermans et al. discloses a handheld Multi-Function Peripheral comprising (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18) a Personal Digital Assistant (PDA), (PDA of fig 5, col.5, paragraph 0057, lines 13-17).

With respect to claim 3, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the PDA (252 of fig 2) further comprises a display for showing the data and the scanning condition, (display on the PDA 252 of fig 2, shows the activity of the scanner 100 of fig 5).

With respect to claim 4, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the display comprises a touch screen integrated with a Liquid Crystal Display (LCD), (a display device on the PDA 252 of fig 2, could be a touch screen).

With respect to claim 5, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the PDA (252 of fig 5) further comprises a stylus, (PDA 252 of fig 5, inherently provides by cursive writing with a stylus on the PDA) which is removable equipped on the PDA, for touching the display to input the data and give the scanning order, the image is capable of being edited on the PDA after scanning, (col.1, paragraph 0006, lines 4-7).

With respect to claim 6, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the PDA (PDA 252 of fig 2) further includes a control button (a button on display PDA 252 fig 5, used to input data) for the user to input the data and give the scanning order.

With respect to claim 7, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), comprises a calculator (any handheld scanner including PDA 252 of fig 2, inherently provides a calculator).

With respect to claim 8, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the calculator further includes a display for showing the data and the scanning condition (any handheld scanner including PDA 252 of fig 2, inherently provides a calculator and

the result of the calculation displayed on the display of PDA 252 of fig 5).

With respect to claim 9, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the display is a Liquid Crystal Display (LCD) (display on PDA 252 of fig 5).

With respect to claim 10, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the calculator further includes a key part for the user to input the data and give the scanning order, (since PDA 252 of fig 2, inherently provides a calculator, it also provides a key pad shown in fig 5 for inputting a data).

With respect to claim 11, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the light source comprises a Light Emitting Diode (LED), (light source 104 of fig 1, is a LED, see col.4, paragraph 0046, lines 12-14).

With respect to claim 12, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the photo electronic imaging device comprises a Charged Coupled device (CCD), see (col.1, paragraph 0007, lines 1-8).

With respect to claim 13, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the photo electronic imaging device comprises a Contact Image Device (CIS), (Charged Coupled device (CIS can be also used), see (col.1, paragraph 0007, lines 1-8).

With respect to claim 14, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the scanning apparatus (100 of fig 1) further comprises a transmission mechanism (a document feed roller and motor 202 of fig 1, see col.4, paragraph 0046, lines 1-8) for transmitting the to-be-scanned document in the scanning channel (slit 214 of fig 2).

With respect to claim 15, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the transmission mechanism includes a plurality of rollers, see (col.4, paragraph 0046, lines 1-8).

With respect to claim 16, Neukermans et al. discloses a handheld Multi-Function peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the to-be-scanned document comprises a business card (254 of fig 5, col.5, paragraph 0057, lines 3-8).

With respect to claim 21, Neukermans et al. discloses the apparatus further comprising, further comprising a second light source and a second photo-electronic imaging device located on an opposite side of the scanning channel as the light source and the photoelectric imaging device (LED), (light source 104 of fig 1, is a LED, see col.4, paragraph 0046, lines 12-14).

With respect to claim 22, Neukermans et al., do not teach or disclose wherein the second photo-electronic imaging device is configured to capture a second image located on an opposite side of the to-be scanned document, both the image and the second image being captured concurrently.

Yoshii (867) in the same area of portable image processing device (as shown in fig 1) teaches, wherein the second photo-electronic imaging device is configured to capture a second image located on an opposite side of the to-be scanned document, both the image and the second image being captured concurrently (col.9, lines 45-53).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Neukermans (297) by the teaching of Yoshii (867) for the purpose of obtaining a low cost portable image processing device equipped with a copy function that can easily carried around, which can read both side of the document.

With respect to claim 23, Neukermans et al. discloses a handheld Multi-Function Peripheral, further comprising two photo-electronic imaging devices located on opposite sides of the scanning channel, MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines

1-18), wherein the scanning apparatus is capable of concurrently scanning the opposite sides of the to-be-scanned document, (col.4, paragraph 0046, lines 1-8).

With respect to claim 24, Neukermans et al. discloses the handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein both the opposite sides are concurrently scanned while the document is transmitted through the scanning channel, from a first end of the MFP to a second end of the MFP opposite the first end.

With respect to claim 25, Neukermans et al. discloses an apparatus comprising: means for entering a scanning job; means for transmitting a document through a scanning channel (rollers for feeding the document through scanning device); means for scanning a first image located on a first side of the document (image sensor for scanning the document, as shown in fig 1-5).

Neukermans et al., do not teach or disclose means for scanning a second image located on a second side of the document, opposite the first side, wherein the first and second images are concurrently scanned

Yoshii (867) in the same area of portable image processing device (as shown in fig 1) teaches, means for scanning a second image located on a second side of the document, opposite the first side, wherein the first and second images are concurrently scanned, (col.9, lines 45-53).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Neukermans (297)

by the teaching of Yoshii (867) for the purpose of obtaining a low cost portable image processing device equipped with a copy function that can easily carried around, which can read both side of the document.

With respect to claim 26, Neukermans et al. discloses the apparatus wherein, a handheld Multi-Function peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18).

With respect to claim 27, Neukermans et al. discloses a handheld Multi-Function peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the means for entering the scanning job is located directly above the scanning channel (254 of fig 5, col.5, paragraph 0057, lines 3-8).

With respect to claim 29, Neukermans et al. discloses the apparatus (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the scanning channel is configured to transmit the document from a first end of the apparatus and out a second end of the apparatus opposite the first end, (100 of fig 1) further comprises a transmission mechanism (a document feed roller and motor 202 of fig 1, see col.4, paragraph 0046, lines 1-8) for transmitting the to-be-scanned document in the scanning channel (slit 214 of fig 2).

With respect to claim 28 and 30, Neukermans et al., do not teach or disclose the apparatus wherein the second photo-electronic imaging device is configured to capture a second image located on an opposite side of the to-be scanned document, both the image and the second image being captured concurrently.

Yoshii (867) in the same area of portable image processing device (as shown in fig 1) teaches, wherein the second photo-electronic imaging device is configured to capture a second image located on an opposite side of the to-be scanned document, both the image and the second image being captured concurrently,(col.9, lines 45-53).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Neukermans (297) by the teaching of Yoshii (867) for the purpose of obtaining a low cost portable image processing device equipped with a copy function that can easily carried around, which can read both side of the document.

Allowable Subject Matter

4. Claims 17, 19-22 are allowed allowed.

Claims 17, 19-22 are allowed for the reason the prior art dose not teach or disclose an apparatus, comprising: a single housing; an operation panel at the housing for a user to input a data and a scanning order; a control processing unit at least partially in the housing and electrically connected to the operation panel for directing logic operation and data processing, and receiving the scanning order; and a scanning apparatus at least partially in the housing and electrically connected to the control processing unit for scanning a to-be-scanned document, the control processing unit being capable of controlling the scanning operation of the scanning apparatus after receiving the scanning order, the scanning apparatus comprising: a scanning channel

for the to-be-scanned document; a light source positioned in a side of the scanning channel to provide the light for scanning; and a photo-electronic imaging device equipped positioned in the side of the scanning channel to capture image of the to-be-scanned document; wherein the scanning channel and the operation panel respectively lie in substantially parallel planes and substantially overlap one another in a direction substantially perpendicular to the substantially parallel planes and wherein the scanning apparatus is capable of scanning concurrently two sides of the to-be-scanned documents.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2625

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEGUSSIE WORKU whose telephone number is (571)272-7472. The examiner can normally be reached on 9A-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Negussie Worku/

Examiner, Art Unit 2625

/Edward L. Coles/

Supervisory Patent Examiner, Art Unit 2625